

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

OSVALDO DELAHOZ

Defendant.

No 15-cr-485 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of the parties' joint request that the Supervisee be presented on specification three of the U.S. Probation Department's February 26, 2021 violation report. (Doc. No. 58.) IT IS HEREBY ORDERED THAT the parties shall appear on Monday, March 29, 2021 at 9:00 a.m., at which time Mr. Delahoz will be presented on this most recent specification of a violation of the terms of his supervised release. Due to the flexibility required to accommodate the planning of proceedings involving detained individuals, the Court will reserve (and the parties shall calendar) Friday, April 1, 2021 at 9:00 a.m. as an alternate date for the presentment. In light of the ongoing COVID-19 pandemic, Mr. Delahoz and his counsel of record, Thomas Dunn, shall inform the Court in writing whether Mr. Delahoz prefers to appear in person or remotely via videoconference. If the latter, counsel shall review with Mr. Delahoz the attached Waiver of Right to be Present at Criminal Proceeding form, which shall then be executed and submitted to the Court. The Court will then issue further instructions concerning the requested videoconference.

SO ORDERED.

Dated: March 2, 2021
New York, New York


RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

OSVALDO DELAHOZ,
Defendant.

**WAIVER OF RIGHT TO BE PRESENT AT
CRIMINAL PROCEEDING**

15-CR-485 (RJS)

-----X

Check Proceeding that Applies

____ Arraignment

I have been notified of the specifications of violation of the terms of supervised release that have been filed against me and have discussed the specifications with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the specifications; to have the specifications read aloud to me if I wish; and to enter a denial or admission of violation before the judge. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York to be informed of these specifications and to enter a denial or admission.

Date:

Signature of Defendant

Print Name

____ Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney and I be permitted to participate by telephone, or if it is reasonably available by videoconferencing, in any conference with the court at which such conditions or my remand are discussed.

Date:

Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held without my client being physically present in court.

Date: _____
Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:

Date: _____
Signature of Defense Counsel

Accepted: _____
Signature of Judge
Date: